

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Katherine Disla

DEFENDANTSRobert Shawn Roach
Intertrans Carrier Company(b) County of Residence of First Listed Plaintiff Hudson

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Orange

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

(c) Attorneys (Firm Name, Address, Email and Telephone Number)

Jerry Maroules, Esq./Leanza, Agrapidis & Maroules, PC
777 Terrace Avenue, Suite 504, Hasbrouck Heights, NJ 07604
e.agrapidis@leanzalaw.com/201-288-0500**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input checked="" type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:
automobile accident**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

05/11/2017

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

JERRY MAROULES, ESQ.
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777 Terrace Avenue, Suite 504
Hasbrouck Heights, New Jersey 07604
(201)288-0500
ATTORNEYS FOR PLAINTIFF

**IN THE UNITED STATES DISTRICT FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE**

Katherine Disla,	:	COMPLAINT FOR A CIVIL CASE
	:	ALLEGING NEGLIGENCE
	:	
Plaintiff,	:	CASE NO:
	:	
V.	:	JURY TRIAL: YES (X) NO ()
	:	
Robert Shawn Roach,	:	
25087 Boling Lane	:	
Rhoadesville, Virginia 22542	:	
Intertrans Carrier Company,	:	
11499 Intertrans Lane	:	
PO Box 650	:	
Gordonsville, Virginia 22942	:	
AND JOHN DOE I-III,	:	
	:	
Defendants.	:	

COMPLAINT AND JURY DEMAND

Plaintiff, Katherine Disla, residing in the City of Jersey City, County of Hudson, in the State of New Jersey, by way of Complaint against the defendants, hereby alleges and says:

1. At all times hereinafter mentioned, plaintiff, Katherine Disla, was the operator of a 2014 Toyota Corolla, License Plate #CLL7663, NC, a rental vehicle owned by Elrac, LLC . Said vehicle was traveling east on John F. Kennedy Memorial Highway in @ the

intersection of South Chapel Street in Newark, Delaware on or about May 15, 2015, at approximately 11:00 a.m.

2. At all times hereinafter mentioned, defendant, Robert Shawn Roach, presently residing in Rhoadesville, Virginia, was the operator of a 2015 Kenworth tractor trailer, License Plate #29463PY, VA, owned by the defendant, Intertrans Carrier Company, with a principal place of business located in Gordonsville, VA. Said vehicle was traveling east on John F. Kennedy Memorial Highway in @ the intersection of South Chapel Street in Newark, Delaware on or about May 15, 2015, at approximately 11:00 a.m. when defendant struck plaintiff's vehicle after failing to remain within a single lane.

3. John Doe I-III are unknown to plaintiff, who thereby brings suit against those defendants by fictitious name. At all times hereinafter mentioned, defendants John Doe I-III, are believed to be the owner or operator of the vehicle which is unknown to plaintiff. The full extent of those facts linking the fictitiously designated defendants with this cause of action is unknown to plaintiff at this time.

4. As a result of defendants' unlawful and negligent operation and control of their vehicles, plaintiff was caused to suffer serious injuries as defined in N.J.S.A. 39:6A-8, et seq., which has caused her great pain and suffering substantially interfering with her daily activities including medical expense.

5. These injuries necessitated her obtaining immediate and continuous medical treatment, caused her pain and suffering, interfered with her employment, and daily activities, and left her with recurring disabilities which will in the future cause additional pain and suffering necessitating future medical expense.

6. Additionally, plaintiff has suffered non-economic loss greater than the basic

non-economic loss defined in the statute. The parties are covered persons as defined in N.J.S.A. 39:6A.

WHEREFORE, plaintiff, Katherine Disla, demands Judgment against defendants, Robert Shawn Roach, Intertrans Carrier Company and John Doe I-III, jointly and severally, for damages and pain and suffering and emotional distress, lost wages, and property damage, together with attorney's fees, interest, costs of suit and any other relief as the Court deems just and equitable.

LEANZA, AGRAPIDIS & MAROULES, P.C.
Attorneys for Plaintiff

By: 
JERRY MAROULES, ESQ.

Dated: May 11, 2017

APPEARANCE AND DESIGNATION OF TRIAL COUNSEL

Jerry Maroules, Esq. of the law firm of Leanza, Agrapidis & Maroules, PC hereby files his appearance in this matter and is designated as trial counsel for the plaintiff, Katherine Disla, in the within matter.

LEANZA, AGRAPIDIS & MAROULES, P.C.
Attorneys for Plaintiff

By: 
JERRY MAROULES, ESQ.

Dated: May 11, 2017

CERTIFICATION

I certify that to my knowledge and based on the information available to me at this time, the matter in controversy is not the subject of any other action pending in any Court, or of a pending arbitration proceeding and that no additional parties are known at this time

who should be added.

LEANZA, AGRAPIDIS & MAROULES, P.C.
Attorneys for Plaintiff

By: 
JERRY MAROULES, ESQ.

Dated: May 11, 2017